

IN THE
United States Court of Appeals for the Eighth Circuit

UNITED STATES OF AMERICA,
Plaintiff-Appellee,
v.
THE STATE OF IOWA, *ET AL.*,
Defendants-Appellants.

IOWA MIGRANT MOVEMENT FOR JUSTICE, *ET AL.*,
Plaintiffs-Appellees,
v.
BRENNA BIRD, IN HER OFFICIAL CAPACITY AS ATTORNEY GENERAL OF IOWA,
Defendant-Appellant,
KIMBERLY GRAHAM AND ZACH HERRMANN,
Defendants.

Appeal from the United States District Court for the Southern District
of Iowa
Stephen H. Locher, U.S. District Judge

STATEMENT OF ISSUES AND
DESIGNATION OF APPENDIX METHOD

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July 5, 2024

Counsel for State of Iowa

State of Iowa, Kimberly Reynolds, Brenna Bird, Iowa Department of Public Safety, and Stephan K. Bayens (“State Defendants”) submit the following designation and statement of issues under the Federal Rules of Appellate Procedure. This consolidated appeal follows from *United States v. Iowa, et al.*, Case No. 4:24-cv-00162-SHL-SBJ (S.D. Iowa), and *Iowa Migrant Movement for Justice, et al. v. Bird*, No. 24-2263, 4:24-cv-00161-SHL-SBJ (S.D. Iowa).

I. Designation of Appendix Method.

State Defendants and Plaintiffs (in both cases now consolidated on appeal) have conferred and agreed to the proceed with a joint appendix, under Eighth Circuit Rule 30A and Fed. R. App. P. 30.

II. Statement of Issues.

Defendants intend to present the following issues on appeal:

1. Whether the district court erred in finding that Plaintiffs had a cause of action to challenge SF2340.
2. Whether the district court erred in finding that Plaintiffs had standing to challenge SF2340.
3. Whether the district court abused its discretion or otherwise erred when it imposed a preliminary injunction against State Defendants’ enforcement of Iowa Senate File 2340.

July 5, 2024

BRENNA BIRD
Attorney General of Iowa

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that the foregoing was filed with the Clerk using the appellate CM/ECF system on July 5, 2024. All counsel of record are registered CM/ECF users, and service will be accomplished by the CM/ECF system.

July 5, 2024

/s/ Eric Wessan

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